REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-20 are presently pending in this case. Claims 1, 8-13 and 15 are amended and new Claims 16-20 are added by the present amendment. As amended Claims 1, 8-13 and 15 and new Claims 16-20 are supported by the original disclosure,[1] no new matter is added.

In the outstanding Official Action, Claim 15 was rejected under 35 U.S.C. §101; and Claims 1-15 were rejected under 35 U.S.C. §103(a) as unpatentable over Ravi et al. (U.S. Patent No. 6,292,834, hereinafter "Ravi") in view of Ka Ming et al. (U.S. Patent No. 6,993,283, hereinafter "Ka Ming").

The abstract is amended herewith to place it in conformance with U.S. practice. No new matter is added.

With regard to the rejection of Claim 15 under 35 U.S.C. §101, Claim 15 is amended to recite a computer readable medium, which is an article of manufacture. Accordingly, Claim 15 is in compliance with all requirements under 35 U.S.C. §101.

With regard to the rejection of Claim 1 as unpatentable over Ravi in view of Ka Ming, that rejection is respectfully traversed.

Amended Claim 1 recites in part:

> control means for <u>changing</u> ~~controlling to change~~ a
> threshold value for the data size of the compressed data in
> accordance with the compression rate detected by the detecting
> means, and reading the compressed data from the memory
> means when the data size of the compressed data temporarily
> stored in the memory means reaches a prescribed threshold or
> more and transferring the compressed data to the data
> expanding means, ***said control means temporarily stopping***
> ***reproduction when the compressed data is determined as***
> ***being less than or equal to the threshold value until the***
> ***compressed data is determined as being greater than the***
> ***threshold value.***

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[1] See, e.g., the specification at page 18, lines 7-20.

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With regard to original Claim 8, the outstanding Office Action cited the controlled

bandwidth of Ravi as "a threshold value" and stated that column 3, lines 16-19 of Ravi

inherently describes stopping reproduction as when the remaining number of packets is less

than the output buffer and the bandwidth adjustments of Ravi do not change that, the audio

streams is at an end and therefore nothing more would be compressed (reproduced).[2]

However, it is respectfully submitted that Ravi does not teach or suggest temporarily stopping

reproduction under any circumstances, much less when compressed data is determined as

being less than or equal to the controlled bandwidth until the compressed data is determined

as being greater than the controlled bandwidth. Thus, it is respectfully submitted that Ravi

does not teach or suggest "control means" as defined in amended Claim 1. Further, it is

respectfully submitted that Ka Ming does not remedy this deficiency. Consequently, Claim 1

(and Claims 2-7 dependent therefrom) is patentable over Ravi in view of Ka Ming.

Amended Claims 8 and 15 recite in part "temporarily stopping reproduction when the

compressed data is determined as being less than or equal to the threshold value in the

checking until the compressed data is determined as being greater than the threshold value."

As noted above, Ravi does not teach or suggest temporarily stopping reproduction

under any circumstances, much less when compressed data is determined as being less than

or equal to the controlled bandwidth until the compressed data is determined as being greater

than the controlled bandwidth. Thus, it is respectfully submitted that Ravi does not teach or

suggest "temporarily stopping reproduction" as defined in amended Claims 8 and 15.

Further, it is respectfully submitted that Ka Ming does not remedy this deficiency.

Consequently, Claims 8 and 15 (and Claims 9-14 dependent therefrom) are also patentable

over Ravi in view of Ka Ming.

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[2]See the outstanding Office Action at page 5, lines 7-12.

New Claims 16-20 are supported at least by the specification at page 18, lines 7-20 and original Claims 1-5. New Claim 16 recites in part:
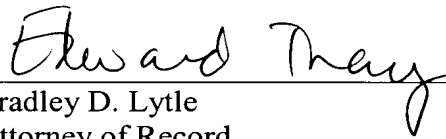
> *a controller configured to* change a threshold value for the data size of the compressed data in accordance with the compression rate detected by the detector, to read the compressed data from the memory when the data size of the compressed data temporarily stored in the memory reaches a prescribed threshold or more, to transfer the compressed data to the data expanding unit, and to *temporarily stop reproduction when the compressed data is determined as being less than or equal to the threshold value until the compressed data is determined as being greater than the threshold value*.

As noted above, Ravi does not teach or suggest temporarily stopping reproduction under any circumstances, much less when compressed data is determined as being less than or equal to the controlled bandwidth until the compressed data is determined as being greater than the controlled bandwidth. Thus, it is respectfully submitted that Ravi does not teach or suggest "a controller" as defined in new Claim 16. Further, it is respectfully submitted that Ka Ming does not teach or suggest this feature either. Consequently, new Claim 16 (and Claims 17-20 dependent therefrom) is patentable over the cited references.

Accordingly, the pending claims are believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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